IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

Bail Appl..No. 6965 of 2006()

LP.29/2003 of C.J.M.,MANJERI
CRIME NO.578/2000 OF MANJERI POLICE STATION

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: PETITIONER/ACCUSED

THARAMMEL IBRAHIM, S/O. ABOOBACKER,
THARAMMEL HOUSE, ATHANIKKAL,
POOKOTTUR, MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENT: STATE

THE STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
MANJERI POLICE STATION - THROUGH
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 6965 OF 2006

DATED THIS THE **27th** DAY OF NOVEMBER, 2006

O R D E R

Petitioner, who is the sole accused in Crime No.578/2000 of Manjeri Police Station for offences punishable under sections 279, 337 and 304A IPC, seeks anticipatory bail. The case against the petitioner is pending before the C.J.M., Manjeri as L.P.Case No.29/03.

2. Admittedly, non-bailable warrants of arrest are pending against the petitioner for his non-appearance. He had jumped bail twice. The justification offered is that he was employed abroad. That is not a reason to remain absent. At any rate, anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the C.J.M., Manjeri and files an application for regular bail within 10 days from today, the same shall be considered and disposed of, preferably on the same date on

which it is filed. In the event of the learned Magistrate granting bail to the petitioner, the passport of the petitioner shall be got surrendered.

With this observation, this bail application is dismissed.

V.RAMKUMAR, JUDGE

dsn